

MEMO ENDORSED

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S P I R E L A W

Ian E. Smith
ian@spirelawfirm.com
407.494.0135

Spire Law, LLC
2572 W State Rd 426
Suite 2088
Oviedo, FL 32765

spirelawfirm.com

Via Electronic Filing

December 6, 2023

The Honorable Judge Valerie E. Caproni
U.S. District Court, Southern District of New York
40 Foley Square
New York, NY 10007

Re.: Smith v. Proguard Protection, Inc. (1:23-cv-03694-VEC)

Dear Judge Caproni:

Defendant's counsel respectfully requests the Court's permission for the parties to attend the Hearing on Joint Motion for the court to approve the Consent Judgment scheduled on October 16, 2023, by telephone, teleconference, or other remote means.

According to the paperless order filed on November 13, 2023, the parties have been advised that a hearing will take place on December 15, 2023 at 10:00 AM in Courtroom 443, 40 Centre Street, New York, NY 10007 before Magistrate Judge Valerie E. Caproni.

The undersigned counsel resides outside of the state of New York and is therefore requesting the conference to be conducted remotely. The parties have conferred regarding this request and Plaintiff has no objection.

Respectfully,

Ian E. Smith, Esq.
Partner, Spire Law, LLC

cc: VIA ECF: All Counsel

Application DENIED. The Court notes that its November 13, 2023, Order states that a conference will be held on December 15, 2023, at 10:00 A.M. *if* no letter motion requesting the Court approve the parties' settlement is filed. If, on the other hand, the parties submit such a letter by Wednesday, December 13, 2023, the conference will not take place.

If the parties need more time to finish their *Cheeks* submissions, they must request that the deadline be adjourned. Pursuant to Rule 2(C) of the Undersigned's Individual Practices, such adjournment requests must be made at least 48 business hours prior to the original due date absent an emergency.

SO ORDERED.



12/7/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE